

Docket No.  
**JPG 98-006-PUS**

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

**COPY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**CONTAINER WITH IMPROVED NECK PORTION AND METHOD FOR MAKING THE SAME**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International  
Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO-SB-01 (6-95) (Modified)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

John P. Guenther (Reg. No. 39,698) and

Robert H. Bachman (Reg. No. 19,374)

Send Correspondence to: John P. Guenther  
9135 General Court  
Plymouth, Michigan 48170

Direct Telephone Calls to: (name and telephone number)  
JOHN P. GUENTHER (734) 354-7142

Full name of sole or first inventor	Richard C. Darr
Sole or first inventor's signature	<i>Richard C. Darr</i>
Residence	1183 Ty Drive, Medina, Ohio 44256
Citizenship	U.S.A.
Post Office Address (Same as Residence)	

Date  
10/5/98

Full name of second inventor, if any	William A. Slat
Second inventor's signature	<i>William A. Slat</i>
Residence	164 North Grand Pointe, Brooklyn, Michigan 49230
Citizenship	U.S.A.
Post Office Address (Same as Residence)	

Date  
10-2-98

# Assignment

**COPY**

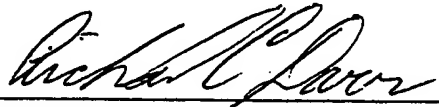
For the sum of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged, we, **Richard C. Darr** and **William A. Slat**, of 1183 Ty Drive, Medina, Ohio 44256, United States of America and 164 North Grand Pointe, Brooklyn, Michigan, 49230, United States of America, respectively, do hereby sell, assign and set over to **PLASTIPAK PACKAGING, INC.**, a corporation of the State of Delaware, and having a place of business at 9135 General Court, Plymouth, Michigan 48170, hereinafter referred to as the ASSIGNEE, its successors, assigns or other legal representatives, the entire right, title and interest, domestic and foreign, in and to the inventions and discoveries in

## **CONTAINER WITH IMPROVED NECK PORTION AND METHOD FOR MAKING THE SAME**

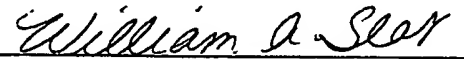
set forth in the application for United States Letters Patent executed by us on the 5<sup>TH</sup> and 2<sup>ND</sup> day of October, 1998, including the right of said ASSIGNEE, its successors, assigns or other legal representatives to make applications and to receive Letters patent for said inventions and discoveries in any and all foreign countries in its or their own name or names, or in my name, at its or their election, and I hereby assign, sell and set over to ASSIGNEE, its successors, assigns or other legal representatives, all rights of priority in and to said inventions and discoveries in all countries.

And I hereby agree for myself, my heirs, successors, assigns or other legal representatives to execute any and all papers, including applications for Letters Patent of any and all kinds in any and all of said countries, and to perform any and all acts which ASSIGNEE, its successors, assigns or other legal representatives may deem necessary to secure thereto the rights herein assigned, sold and set over.

And I hereby represent and warrant that I have not granted any rights inconsistent with the rights granted herein.



Richard C. Darr



William A. Slat

STATE OF OHIO )  
 ) ss.  
COUNTY OF MEDINA )

On this 5<sup>th</sup> day of October, 1998, personally appeared before me **Richard C. Darr**, to me known to be the person named in and who executed the above instrument, and acknowledged that he executed the same on October 5, 1998 for the purposes therein mentioned.

(Seal)

Laura Wilson

Notary Public

My Commission Expires:

LAURA WILSON  
Notary Public, State of Ohio  
My Commission Expires March 22, 2000

STATE OF MICHIGAN )  
 ) ss.  
COUNTY OF WAYNE )

On this 2ND day of October, 1998, personally appeared before me **William A. Slat**, to me known to be the person named in and who executed the above instrument, and acknowledged that he executed the same on October 2, 1998 for the purposes therein mentioned.

(Seal)

John P. Guenther

John P. Guenther, Notary Public

My Commission Expires: March 27, 2000